CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

FEBRUARY 16, 2010

INVOCATION:
Pastor Carl Nielsen of Bethel Lutheran Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Cordero led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Director of Community Development Appel, Acting Fire Chief Jones, Director of Utilities Sweet, Director of Public Works/City Engineer Whitehead, Director of Administrative Services Visé, Director of Recreation and Parks Posada, Police Chief Macagni, Planner III Halvorson, and Chief Deputy City Clerk Perez.

ANNOUNCEMENTS:
Mayor Lavagnino asked Councilmembers Zacarías and Cordero to give a report on the recent Future Search Conference.

Councilmember Zacarías reported that the Future Search Conference was held last week to try to end youth violence. It is a process where you bring a diverse group of community members together to address complex problems and end up with a vision of what the future could be. There were over 120 participants for the three days at the Abel Maldonado Youth Center. The group represented education, youth, families, faith-based organizations, government, law enforcement, business, healthcare, criminal justice, and non-profit organizations. The one thing that was clear from the very start was that all wanted to find a way to create a better future for the youth of the community by addressing youth violence. Youth violence is not all related to gangs. There has to be a foundation to create change, and that foundation has to include youth and parents. They also made a commitment to focusing on supporting families and youth throughout the neighborhoods. There are already a lot of organizations in the community doing good work. There must be unity with everyone across the entire community.

Councilmember Cordero reported on the commitments that came out of the conference. He said the dynamics in the room was something he had never seen before. It was a very positive experience. One of the commitments was connecting the youth with services that were already available. They may do some things in the area of helping with parenting and job searching. Many of the things are already available in one form or another. The group may add to them or just connect the people to the available services. Ending youth violence would not happen overnight. The group was seeking resolution through other paths rather than enforcement by the Police Department. Now the onus is upon the group and the community to come together and solve the problem of youth violence.

VOLUNTEER OF THE MONTH
Councilmember Orach presented a gift to Evelyn Edwards, the Recreation and Parks Volunteer of the Month for February, for her dedication of time and effort as a volunteer mentor to youth participating in the Recreation and Parks Career Camp.

PROCLAMATION – NATIONAL FFA WEEK
Councilmember Patino read a proclamation declaring the week of February 20 through 27, 2010, as "National FFA Week" in the City of Santa Maria, and urging the residents of Santa Maria to recognize the importance of agriculture in this community and support the efforts of the local FFA Chapters. The proclamation was accepted by Alejandro Gonzalez, President of the Santa Maria High School FFA Chapter.

PUBLIC COMMENT
Teresa Menchaca, Fighting Back Santa Maria Valley, thanked the Council for its support of Fighting Back Santa Maria Valley. She talked about the Communities Anti-Drug Coalition of America Conference in Washington, D.C. Every year they go to this conference, they come back so enthusiastic. They want to bring some of the new ideas to this community. They want to empower the youth of the community to be future leaders.

Chastity Johnson, Fighting Back Santa Maria Valley, spoke about the programs Fighting Back Santa Maria Valley has initiated in the community and schools. The parent project program was designed to prevent and intervene in the most destructive of adolescent behaviors amongst the youth. From February 2009 to February 2010, they serviced 95 teens and 131 parents. The youth coalition has grown to 50 members. On Saturday, April 17th, in front of City Hall, the youth group would be hosting its first annual Youth Rally.

Jay Allen, Fighting Back Santa Maria Valley, spoke about his job as Resolving Conflict Creatively Program Coordinator. He talked about his journey to get where he is today. From 1986 to 2001, he was on active parole due to gang activity. In 1994, he was arrested for drug activity and weapons charges. He was given an opportunity to turn his life around. Gangs are not new to this community. They have been around a long time. It was a privilege to now be part of this community and part of the solution.

Bob Ziener commended Mayor Lavagnino for his guest editorial in Sunday's paper. He suggested it be copied and distributed more widely. If the community works together, it can achieve its goals.

Harry Johnson spoke about the gang problem in the community, and the things that had happened to him in the past by gang members.

Gwen Wood spoke about the weekly crime blotter the City of Lompoc publishes in the Lompoc Record. She asked why the City of Santa Maria did not publish a list of crimes. She felt the Police Department was doing the public a disservice by not letting the public know about the crimes in their neighborhoods.

Gabriel Valencia invited the Council and public to the Cesar Chavez Celebration at Preisker Park on March 28th and asked for a proclamation again this year. He said he was President of MAPA, an organization that works for the good of the community. He would like to get involved in the gang issue. They have to work with the parents first. The gang issue was not just in Santa Maria, it was all over the country.

Paula James talked about comments made at the last meeting under Council Oral Reports regarding E-verify and 287(g). She would like to see the local businesses use E-verify because it worked. She gave three good reasons to use E-verify: LaRaza, PUEBLO, and illegal aliens do not like E-verify.

Mickey Freeman thanked Councilmember Cordero and the group for the Future Search Conference and trying to solve youth violence. The community does need a gang injunction, E-verify, and 287(g). They were very important tools for the community.

CONSENT CALENDAR
Councilmember Cordero requested Item 3H be pulled for comment.

Item 3H – Santa Barbara County Resolution of Intention

Councilmember Cordero stated it was so often that agenda items created sides and became adversarial. This was one of the situations where City staff was partnering with County staff for a program that would be no cost to the City. The County would be seeking funds to help businesses and homeowners make energy and water efficiency improvements.

Consent Calendar Items A through I were approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of February 2, 2010, were approved as submitted.

C. REVISIONS TO CONFLICT OF INTEREST CODE
Resolution No. 2010-20 was adopted approving revisions to the City's Conflict of Interest Code to change certain classification reporting categories.

Resolution No. 2010-20 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING APPENDIX "A" OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED FILERS OF THE CITY OF SANTA MARIA.

D. WARRANTS
Warrant Nos. 156563 to 156895 totaling $2,179,968.71 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 147649, 147887, 150639, 151862, and 156654 were cancelled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

F. ORDINANCE NO. 2010-01
The City Council conducted the second reading of Ordinance No. 2010-01 by title only and adopted the Ordinance rezoning a 6.04 acre site from CM (Commercial Manufacturing) to 4.40 acres of PD/C-2 (Planned Development/General Commercial) and 1.64 acres of PD/CM (Planned Development/Commercial Manufacturing) for the Rice Depot Mercado Project located west of South Depot Street, north of Morrison Avenue and east of the Santa Maria Valley Railroad.

Ordinance No. 2010-01 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, REZONING PROPERTY FOR THE RICE DEPOT MERCADO PROJECT, WEST OF SOUTH DEPOT STREET, NORTH OF MORRISON AVENUE AND EAST OF THE SANTA MARIA VALLEY RAILROAD, ASSESSOR'S PARCEL NUMBERS 123-150-003, 123-150-004, 123-150-014, 6.04 ACRES (FILE NO. GPZ-2008-003)

G. AWARD OF BID
Resolution No. 2010-21 was adopted awarding the bid and approving a contract with Souza Engineering Contracting, Inc., for Federal Stimulus Concrete Project #2, Bid No. 2010/08, in the amount of $241,244.

Resolution No. 2010-21 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH SOUZA ENGINEERING CONTRACTING, INC. FOR FEDERAL STIMULUS CONCRETE PROJECT #2, BID NO. 2010/08.

H. ENERGY EFFICIENCY PROGRAM
Resolution No. 2010-22 was adopted approving a County of Santa Barbara Resolution of Intention consenting to participation in a contractual assessment program and approving the financing of installation of distributed generation renewable energy sources, energy efficiency, and water efficiency improvements within the City limits.

Resolution No. 2010-22 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING COUNTY OF SANTA BARBARA RESOLUTION OF INTENTION CONSENTING TO PARTICIPATION IN A CONTRACTUAL ASSESSMENT PROGRAM AND APPROVING THE FINANCING OF INSTALLATION OF DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY EFFICIENCY, AND WATER EFFICIENCY IMPROVEMENTS WITHIN THE INCORPORATED AREA OF THE CITY.

I. NOTICE OF COMPLETION
The City Council accepted as complete the public improvements and approved the Notice of Contract Completion for Stowell Road Reconstruction, Bid No. 2009/12 and authorized the Chief Deputy City Clerk to record the Notice.

APPOINTMENTS TO COMMITTEES
Chief Deputy City Clerk Perez gave the staff report. The City Council is requested to make one appointment to the All-America City Committee to fill the business sector vacancy and one appointment to the Landmark Committee. Appointments were made to various boards and committees at the January 19th City Council meeting. Councilmember Cordero requested his appointment to the All-America City Committee be postponed and the application deadline extended. There were two vacancies on the Landmark Committee, but only one application was received. Council directed staff to extend the application deadline for the second vacancy. The deadline for both positions was extended to February 3, 2010. Three applications were received for the All-America City Committee from Esther Acosta, Timothy Larson, and AJ Williams. All three meet the requirements for the business segment appointment. One application was received for the Landmark Committee from Timothy Larson.

All-America City Committee
Councilmember Cordero stated he interviewed all three applicants, and any one of them would be a good addition to the Committee. Councilmember Cordero nominated AJ Williams to fill the business segment vacancy on the All-America City Committee.

On motion by Councilmember Cordero, seconded by Councilmember Patino, and carried unanimously, AJ Williams' appointment to the All-America City Committee for a two-year term ending in January 2012 was confirmed.

Landmark Committee
Mayor Lavagnino appointed Timothy Larson to the Landmark Committee.

On motion by Mayor Lavagnino, seconded by Councilmember Orach, and carried unanimously, Timothy Larson's appointment to the Landmark Committee for a three-year term ending in January 2013 was confirmed.

SANTA MARIA FREEWAY CENTER
Planner III Halvorson gave the staff report. The City Council is requested to consider a recommendation from the Planning Commission regarding an application by General

Development Company (GDC) for a General Plan Amendment and Zone Change for the Santa Maria Freeway Center located at 1000 East Betteravia Road. The site is located on approximately 4.68 acres and has been graded in the last year but is currently vacant. The current zoning of the project site is PD/FS (Planned Development/Freeway Service). Commercial zoning districts are located to the north, south and west. The U.S. Highway 101 on-ramp is located directly east of the project site. In June 2003, the Planning Commission approved a Planned Development Permit for a commercial center totaling 21,323 square feet in size. A revised Planned Development Permit was approved by the Planning Commission in June 2009 increasing the total floor area of this previously approved commercial center by 10%, for a total of 23,455 square feet. On June 25, 2009, the applicant applied for a General Plan Amendment from Freeway Service to Community Commercial and a Zone Change from Planned Development/ Freeway Service to Planned Development/General Commercial in order to allow more uses on the property which would otherwise not be allowed within the existing Freeway Service zoning district. All permitted uses in the Freeway Service zone would also be allowed in the C-2 zone with a conditional use permit approved by the Planning Commission. Due to surrounding general commercial (C-2) zoned properties to the north, south and west, the applicant believes that the community would benefit if the C-2 zoning district was applied to the Santa Maria Freeway Center property. The applicant also submitted an application for a Planned Development Permit to allow the construction of a commercial center. The project would consist of a 42,824 square foot commercial center, 206 off-street parking spaces, 41,830 square feet of landscaping, and in-lieu improvements to the Green Valley drainage system. One driveway is proposed off of South Bradley Road and two driveways are proposed off of East Betteravia Road. One internal driveway located at the southwest portion of the site would allow internal access between the proposed project and the existing Crossroads Shopping Center. A Traffic and Circulation Study was prepared for this project by Associated Transportation Engineers, dated September 1, 2009. This study evaluated the access points noted above and determined that the proposed project would not create significant impacts to traffic or circulation. At its regularly scheduled meeting on January 20, 2010, the City Planning Commission adopted two resolutions on a 5-0 vote, recommending that the City Council approve the Addendum to the Mitigated Negative Declaration, adopt the mitigation monitoring program and approve the General Plan Amendment and Zone Change.

Mayor Lavagnino announced the process he would follow for speakers on this item.

Councilmember Cordero, Orach, Patino, Zacarías and Mayor Lavagnino all announced that they had ex-parte communications with representatives regarding this project.

Mayor Lavagnino opened the public hearing.

Gordon Gill, representative for the applicant, stated 10 years ago the applicant came to their office to request assistance with developing this site. A number of site plans were developed for uses that would fit with the FS zoning. Because of the restricted uses, they could not develop a design that would use the entire site. There were 191 restaurants within a three-mile radius of the project site which limited the clientele that might be interested in the site. They also studied the hotel/motel feasibility. There are 43 hotels and motels in Santa Maria, and the occupancy rate was 54 percent. Some of the advantages with proceeding with rezoning of this site were in excess of 85 construction jobs on the site, which would produce almost $600,000 in salaries during the construction. After build-out, they estimate there would be 133 jobs for the residents of Santa Maria paying approximately $2.8 million in salaries. The gross sales of businesses in the center would be in excess of $33.5 million or $336,000 per year for the City. Property tax would exceed $120,000 a year. The fees to develop the site would be $2.4 million.

Jay Hartman, applicant and managing partner of GDC, stated he was from a working class family. He attended public schools. He has been a licensed real estate broker for 45 years and a licensed contractor for 10 years. He has owned or developed or acted as a broker in about 10 service station facilities, 4 or 5 restaurants, 3 or 4 shopping centers, 2 industrial parks, and has put together, remodeled or owned about 100 apartment buildings or single family homes. He saw the property for the first time in 1968. The FS zoning has been in existence since 1968, and they were still stuck with the same Freeway

Service (FS) zoning. With this zoning, they were precluded from developing this property. Everything around it was now zoned C-2. This was the only piece of property in the area that was zoned FS. Over the weekend, they surveyed the residences in the area, and 95 percent supported the proposed project. He submitted signatures of 131 residents and their comments.

Todd Hartman, GDC, stated they started marketing this property in 2000. He had talked to hundreds of major restaurants who expressed interest in property; however, not with 191 restaurants within three miles. The property could no longer exclusively serve the freeway traveler. Back in 1971, when GDC developed the Texaco Station on the property, there were no medians on Betteravia Road. There were three access points to the service station. Access from the freeway was very simple and easy. There were no homes in the area, it was all agriculture and oil wells. The City has changed and grown with a power center and 1,000 homes within one mile of the site. 40,000 cars pass by the site on Betteravia each day.

Peter Koetting, Westar Associates and property owner, stated there were three major issues. The first one was property rights. They owned the land and did not agree with the concept. They were not allowed to make comment on or sign the application. Secondly, the site plan presented was not one that was approved by Westar in 2002 or 2007. Lastly, it was not the best use for the City. It was the gateway to the community. Westar Associates brought the Crossroads Shopping Center, the Auto Malls, the utilities, churches, schools, and parks, and their latest project, College Square, to the City. They still believed the uses under the Freeway Service zoning were the most appropriate uses for the property. They were concerned that if the project was not completed, they would be stuck with it as the property owner. If there were code compliance issues, they would be the ones notified. They did not believe it was the highest and best use of the site. On the issue of property rights for the property owner, they discussed this with every city in San Luis Obispo County and Santa Barbara County as well as both counties, all of which said they would require the property owner's approval on the application.

David Grant, attorney for Westar Associates, asked if the City could or would allow somebody to rezone property that they did not own. There has never been a decision allowing a rezone of an underlying lessor's property over that lessor's objection. The Santa Maria Municipal Code spelled out that only a property owner could file an application for a rezone. When Westar Associates bought all of this property, it was with a vision for a synergistic development. The lease spelled out the uses, and they were the exact uses listed in the Freeway Service zone. There was a five-year term on the lease. GDC hadn't exercised any option to renew. The law did not allow a tenant to rezone the landlord's property and this City should not allow that to happen.

Harrell Fletcher stated for the last 30 plus years, he has been a land use consultant. He said it seemed unbelievable to him that the Council could rezone property that the property owner opposed. The applicant was proposing a strip mall of small stores when the City currently had a 10 percent commercial vacancy rate. GDC did not have committed tenants at this time and had not secured the type of tenants that would be viable for this entry to the City. The project, as laid out, would be very disruptive to traffic. Two hotels have been built in Santa Maria that would have been better suited for this location. The freeway service zoning was what belonged on this property and what would be best for the City.

Dave Cross, Fletcher Cross & Associates, stated if the Council approved the project, then when the lease was over, the property owner would be stuck with what was built there. He did not see how the applicant could match the quality of College Square and Crossroads because, as a lessee, the applicant would be inclined to reduce expenses and recoup their investment before the lease expired. He talked about the types of business that could go into this project without a conditional use permit if it was zoned commercial. The City and property owner could end up with a project that was only half built if GDC decided to end the lease. The City needed people coming into Santa Maria to shop. It was his belief that it was beneficial to keep the zoning the way it is.

Pamela Murray stated she and her husband moved their business to the College Square shopping center. She felt it was an amazing opportunity for the community to have a piece of property so near the freeway. She understood personal property rights, but she also understood that the City was in a recession. College Square development was over 50 percent vacant. She felt there was an opportunity to do a much better job on this property. She asked the City to put these people together and come up with a higher and better use of the property on behalf of all the City.

Lynda Hartman, GDC, stated this property had been in their family for over 40 years. It was a family investment. For the first time, she could see hope for change and development of the property coming to fruition. They had the experience and resources to complete this project and were enthusiastic about developing this site. It was part of their legacy, and they wanted to make it an outstanding and functional site. They wanted it to mean something after all they have been through. She asked the Council to not only approve, but to wholeheartedly support the rezoning to C-2.

Donna Dart stated when she read about this in the newspaper she became very concerned. She talked about the Marriott in Buellton at the gateway of that community. For a population of 100,000 people, this City had limited facilities for conferences and large receptions. She asked the Council to not give up this site and keep it as a gateway for the community.

Laurie Tamura, Urban Planning Concepts, stated most of the freeway service zoning was from the County before properties were annexed into the incorporated cities. They were the outlying areas at that time. Most of those properties within Santa Barbara County have been rezoned to general commercial because it gave more opportunities to do projects. Since Santa Maria had moved toward the freeway, freeway service zoning did not make sense anymore. From a regional planning prospective, freeway service was no longer appropriate.

Faryan Afifi, attorney for GDC, said the Council was here to decide if the property should be rezoned to C-2. When the Council approved the rezoning to C-2 for all the properties surrounding this site, it said the C-2 zoning was appropriate for this area. During the 37 years GDC has owned this property, there have been three different fee owners. The Council heard the City Attorney's unbiased opinion. He said the City Council could and should consider GDC's application for a General Plan Amendment and zone change. He did not understand why Westar Associates opposed this. The same uses that would be allowed in Freeway Service would also be allowed in C-2. If Mr. Koetting wanted to put a hotel on this property, why haven't they done it? It was because they could not as long as GDC had a lease on the property. There were more than 35 years left on this lease. It was GDC's property for that time. Mr. Grant said the lease itself restricted the uses on the property, but that was incorrect. He read from a section of the lease. This property was one of the most visible sites in Santa Maria from the freeway. He asked the Council to give GDC a chance.

David Grant stated he did not say the lease limited the development. The lease prescribed those specific uses for the property. That was the vision. He said he didn't think the owner of property in Santa Maria was different from property owners anywhere else. The Santa Maria City Code said only a property owner could apply for a zone change.

Peter Koetting stated it was never easy talking about these issues. The question was if the lessee had the right to apply for a rezoning without the property owner's permission. Secondly, was this the right use for the property? The property was the gateway for the City. There was a chance for a freeway service hotel. They had a developer who wanted to put a hotel on this property. GDC did not even come to the meeting. Ms. Tamura said most cities were changing from freeway service zoning. That was for big sites for big developments with big anchor tenants. This was 4.6 acre site. He asked the Council to not give up the gateway to the City.

Hearing no further requests to speak, Mayor Lavagnino closed the public hearing.

Mayor Lavagnino stated he knew the Council could approve or deny the application without giving a reason because it was an administrative decision. He asked City Attorney Trujillo for direction on how far the Council could go without exposing the City to a possible lawsuit in discussing their opinions on the project.

City Attorney Trujillo stated it was a legislative act, and the Council had the discretion to approve or deny it without making any findings or giving any reasons. He would recommend the Council discuss the policy merits of the rezoning and whether or not it was in the best interest of the City. He asked the Council to follow his legal advice which was to make a decision on the merits of the project. If the Council felt, as a matter of policy, it could not approve a rezone or General Plan Amendment because the underlying property owner did not support it, it could state that as a reason.

Councilmember Patino asked about the driveways onto Bradley Road and Betteravia Road. She said she could see shades of McCoy Lane with this.

Jim Lichacz, project manager for GDC, responded to her questions and explained how ingress and egress would work and how traffic could access Bradley and Betteravia.

Councilmember Cordero stated his understanding was that the City Attorney gave a legal opinion that the application could be filed.

City Attorney Trujillo stated he issued a legal opinion that the City could or should consider an application from a long-term lease owner.

Councilmember Cordero stated he felt the traffic would be a problem regardless of what was built on the site. It could become a problem like McCoy Lane.

Councilmember Zacarías thanked the applicant for taking the time to get the opinions of surrounding residences. She said she was most concerned with the traffic. Betteravia Road was how a lot of people got to work. She did not believe that traffic would be the same regardless of the use. She agreed that a lovely hotel would be good on the site.

Councilmember Orach agreed with Councilmember Zacarías. He said it was a valuable piece of property for the community, and he could envision some more outstanding activities on that property that would enhance the gateway to Santa Maria. He would not be in favor of this project.

Councilmember Patino stated she felt there was an agreement when the lease was signed that it would be a hotel/motel, service station or restaurant. She opposed the rezoning for College Square. She has seen property rights erode in the State of California. She was a private property rights person. She believed property owners had the right to protect their property.

Councilmember Orach moved to deny Resolution No. 2010-23 approving the Addendum to the Mitigated Negative Declaration, E-2002-041, and approving a mitigation monitoring program for the Santa Maria Freeway Center Project. The motion was seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Councilmember Orach moved to deny Resolution No. 2010-24 approving a General Plan (Land Use) Amendment for a 4.68 acres site from FS (Freeway Service) to CC (Community Commercial). The motion was seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Councilmember Orach moved to deny Ordinance No. 2010-02 rezoning property from PD/FS (Planned Development/Freeway Service) to PD/C-2 (Planned Development/General Commercial) for the Santa Maria Freeway Center Project. The motion was seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, Zacarías, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

CITY MANAGER'S REPORT
City Manager Ness reported on anticipated items for the March 2, 2010, City Council meeting including two proclamations, an Entertainment License, and a bid award.

ORAL REPORTS BY COUNCILMEMBERS
Councilmember Orach commended Mayor Lavagnino for his guest editorial in Sunday's newspaper. He reported he met with the Young Life group, attended the All-America City Committee meeting, the Recreation and Parks Commission meeting, the Law Enforcement Appreciation lunch, the Manufacturers Committee meeting, and dinner at the new Central City Market. He talked about legal and illegal fireworks and asked that the issue come back to the Council in plenty of time for the Council to make a determination as to whether to allow legal fireworks or not in the City before the 4th of July.

City Manager Ness stated with direction from the City Council, staff could agendize the item and prepare a staff report that would look at illegal fireworks as well as the sale and use of safe and sane fireworks to include options for discussion purposes.

Councilmember Orach moved to agendize the issue of legal and illegal fireworks in the City for a future meeting. Councilmember Cordero seconded the motion. The motion carried on the following vote:

AYES: Councilmembers Cordero, Orach, and Mayor Lavagnino
NOES: Councilmembers Patino and Zacarías
ABSENT: None
ABSTAIN: None

Councilmember Zacarías reported she participated in the Future Search Conference and apologized for not attending the Law Enforcement Appreciation lunch. She thanked the Police Department for their participation in the Future Search Conference and Councilmember Cordero for facilitating the Conference.

Mayor Lavagnino reported he attended the grand opening of Café Noir, the Boy Scout activities at the mall, the Santa Maria Ruff Rollerz at the Armory, the Law Enforcement Appreciation lunch at the Elks, and had knee surgery last Friday.

Councilmember Patino reported she attended the Young Life meeting, the Wave Generation Forum, and the Coalition of Alcohol and Drug Communities of America Conference in Washington, D.C.

Councilmember Cordero reported he attended the Future Search Conference, spoke to the Future Leaders of America, attended a dinner at the Boys Club, the Police Appreciation lunch, a dinner for Cruisin' for Life, and appeared on the Ben Heighes show regarding the Future Search Conference.

CLOSED SESSION
The City Council recessed to a Closed Session at 9:15 p.m. to discuss Conference with Legal Counsel - regarding Existing Litigation pursuant to Subsection (a) of Government Code Section 54956.9 for Santa Maria Police Officers Association v. City of Santa Maria, Case No. 1318327, and Santa Maria Police Officers Association v. City of Santa Maria, Case No. 1316392.

After the Closed Session, the following report was given:

Conference with Legal Counsel – Santa Maria Police Officers Association v. City of Santa Maria (Case No. 1318327) – A status report was given with no action taken.

Conference with Legal Counsel – Santa Maria Police Officers Association v. City of Santa Maria (Case No. 1316392) – A status report was given with no action taken.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 9:30 p.m. by Mayor Lavagnino.

APPROVED

March 2, 2010
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

ATTEST

Chief Deputy City Clerk

Mayor of the City of Santa Maria